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*Resolution 19-96 of the Navajo County Board
of Supervisors. Establishing Criteria & Procedures
Whereby the County may Enter into Agreements
With Private Entities to Fence County Highways
or Portions thereof.*

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DWARD J. KOURY
County Manager

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Clerk of the Board

RESOLUTION NO. 19-96

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NAVAJO COUNTY, ARIZONA, TO ESTABLISH CRITERIA AND PROCEDURES WHEREBY THE COUNTY MAY ENTER INTO AGREEMENTS WITH PRIVATE ENTITIES TO FENCE COUNTY HIGHWAYS OR PORTIONS THEREOF.

WHEREAS, the Board of Supervisors, "Herein after referred to as "The Board" is authorized to lay out, maintain, control, and manage public roads under it's jurisdiction pursuant to A.R.S. §11-251 (4) ; and

WHEREAS, it is the desire of the Board to promote public safety by reducing the possibility of livestock related accidents on County Highways; and

WHEREAS, the Board and livestock owners who graze animals adjacent to "fenceless" County Highways have a mutual interest in keeping livestock off of these County Highways; and

WHEREAS, to facilitate the reduction of livestock related accidents, the Board desires to enter into cooperative agreements with individual property owners or with lessees of federal or state owned grazing land to fence portions of certain paved **County Highways**.

NOW, THEREFORE BE IT RESOLVED THAT, the Board hereby authorizes Agreements to be made with third parties to arrange for the fencing of certain County Highways, pursuant to the terms and conditions of this Resolution.

BE IT FURTHER RESOLVED THAT, a roadway must meet the following criteria:

1. The road is a "Declared" County Highway in accordance with A.R.S. §18-201.
2. The road is surfaced with Asphaltic Concrete.
3. The road has an Average Daily Traffic volume greater than 100 vehicles per day.
4. The Right-of Way of the portion of the particular roadway to be fenced has been and has been accepted for maintenance by the Board, and dedicated to the County by plat, easement, or deed.

BE IT FURTHER RESOLVED THAT, the County Engineer is directed to evaluate all requests to participate in a fencing project and to determine the following:

1. Whether the road meets the criteria stated above.
2. Whether the Public Works Department has the resources necessary to meet it's obligations under the proposed Agreement. The Public Works Department shall attempt to budget approximately \$20,000 per year for this activity. The Board of Supervisors may contribute an equal amount from their respective District road fund safety accounts. The total amount from County Road Funds for the County for any one year shall not exceed \$40,000 for all contributions. The budget for this activity must be approved by the Board of Supervisors each budget year.
3. Whether the subject roadway is a priority for fencing based upon accident histories and average daily traffic volume, in the event that there are insufficient resources for all requested projects.

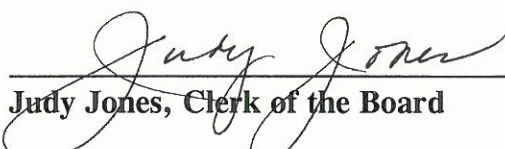
BE IT FURTHER RESOLVED THAT, upon the written recommendation of the County Engineer, the Board of Supervisors is authorized to enter into an Agreement on behalf of the County with an individual participant in a fencing project, which shall include the terms and conditions of the attached form of Agreement (Exhibit A), subject to such reasonable modification as may be required by the particular circumstances. Based upon the recommendation of the County Engineer, the County may participate by providing materials or materials funding for a particular project, provided that the value of the contribution made by the participant is of approximately the same or greater value.

BE IT FURTHER RESOLVED THAT, the provisions of this Resolution are effective immediately upon adoption.

PASSED AND ADOPTED this 13th day of May, 1996.


Percy Neal, Chairman
Navajo County Board of Supervisors

ATTESTED:


Judy Jones, Clerk of the Board